

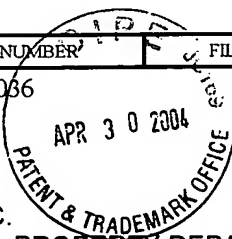


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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/623,036	07/18/2003	Willem P.C. Stemmer	0100.227US

30560
 MAXYGEN, INC.
 INTELLECTUAL PROPERTY DEPARTMENT
 515 GALVESTON DRIVE
 RED WOOD CITY, CA 94063



CONFIRMATION NO. 6456

FORMALITIES LETTER



OC000000011353853

Date Mailed: 11/25/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

COPY

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 1-102 are not in compliance with 37 CFR 1.52(a).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-13.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the

"Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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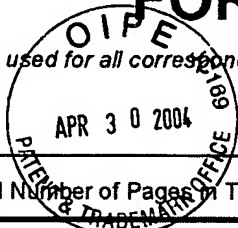
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



Total Number of Pages in This Submission

145

Application Number

10/623,036

Filing Date

July 18, 2003

First Named Inventor

W. P. C. Stemmer

Group Art Unit

1632

Examiner Name

Attorney Docket Number

0100.227US

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment / Response
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☒ Extension of Time Request
plus one copy
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/
Incomplete Application
- ☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

- ☐ Assignment Papers
(for an Application)
- ☒ Drawing(s) 15 sheets
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69)
and Accompanying Petition
- ☐ Petition to Convert to a
Provisional Application
- ☐ Power of Attorney, Revocation
Change of Correspondence
Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication
to Group
- ☐ Appeal Communication to Board
of Appeals and Interferences
- ☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s)
(please identify below):

- Substitute Specification (102 pp.)
- Sequence Listing (18 pp.)
- Req to use CRF from Another Appl.
- Copy of "Notice to File Corrected
Application Papers"
- Return Postcard

Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Joanne R. Petithory Reg. No. 42,995 Maxygen, Inc.

Signature

Joanne R. Petithory

Date

April 23, 2004

CERTIFICATE OF MAILING

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Diane D. Dunn

Attorney Docket No: 0100.227US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Willem P.C. Stemmer

Examiner: not yet assigned

Application No.: 10/623,036

Art Unit: 1632

Filed: July 18, 2003

For: METHODS FOR GENERATING
POLYNUCLEOTIDES HAVING
DESIRED CHARACTERISTICS BY
ITERATIVE SELECTION AND
RECOMBINATION

**RESPONSE TO
NOTICE TO FILE CORRECTED
APPLICATION PAPERS**

Commissioner for Patents
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Sir:

In response to the "Notice to File Corrected Application Papers" dated November 25, 2003 in the above-referenced application, Applicants submit herewith a Substitute Specification under 37 C.F.R. §1.125(b) and 15 sheets of Replacement Drawings. A Request to Use a Sequence Listing CRF from Another Application Pursuant to 37 CFR §1.821(e) and a copy of the "Notice to File Corrected Application Papers" accompany this submission. A Petition for a Three-Month Extension of Time (plus one copy), extending the date of response to April 26, 2004 (as April 25, 2004 is a Sunday), also accompanies this submission.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3.

